

REMARKS

Claims 13 and 39 have been amended for greater clarity. The claim amendments are fully supported by Applicants' specification (e.g., page 12, lines 2-18; page 38, lines 16-24; and Examples 11-12 on pages 83-84). Claims 40-44 have been added. Support for the new claims can be found throughout the specification (e.g., page 5, lines 3-11 and 16-21; and page 11, lines 17-30) and original claims (claims 1, 4, and 5). No new matter has been introduced and no new issue has been raised.

Applicants respectfully request reconsideration in view of the following remarks. Issues raised by the Examiner will be addressed below in the order they appear in the prior Office Action.

Claim Rejections under 35 U.S.C. § 102(b)

Claims 13, 16, 32, and 34-38 are rejected under 35 U.S.C. § 102(b), as allegedly being anticipated by Ruoslahti et al. (U.S. Patent No. 5,654,270). Applicants respectfully traverse this rejection to the extent.

Specifically, the Examiner asserts that "the limitation describing the cell as 'in need of activation of membrane' does not affect the scope of the claimed subject matter because it is not clear what constitutes a cell's need of activation of a membrane." Office Action, page 3, lines 18-21.

Solely to expedite prosecution of the application, Applicants have amended independent claim 13 to more particularly define the cell by reciting "wherein the cell has an abnormal dystrophin-associated protein complex (DAPC)." Claim 13 has also been amended to clarify the subject matter by reciting "a method for activating muscle, skeletal, receptor tyrosine kinase (MuSK) in a cell." Support for amended claim 13 can be found throughout the specification as well as the working examples. The amendments are made solely to expedite prosecution of the application, and Applicants reserve the right to prosecute claims of similar or differing scope in subsequent applications.

Applicants submit that Ruoslahti et al. do not anticipate the present invention. Ruoslahti et al. at least fail to teach, expressly or inherently, a method which involves use of a cell which has an abnormal dystrophin-associated protein complex (DAPC) as recited in the claimed method. Nor do

Ruoslahti et al. teach a method of activating MuSK in such cell. Accordingly, Ruoslahti et al. do not teach all the elements of the claimed invention and fail to anticipate independent claim 13. For the same reasons, all claims depending from claim 13 are not anticipated by Ruoslahti et al. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim Rejections under 35 USC § 112, Second Paragraph

Claims 13, 16, 32, and 34-39 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner asserts that claim 13 is vague and indefinite for the recitation "a cell as in need of activation of membrane."

As described above, Applicants have amended independent claim 13 to remove such recitation, rendering the rejection moot. Reconsideration and withdrawal of the rejection are respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned at (617) 951-7000. If a fee is due, please charge our Deposit Account No. 18-1945, under Order No. **BURF-P02-006**.

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Respectfully submitted,

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